

Reference is made to the following documents:

- D1: US-B-6 516 2781 (NAGATOMI KAORU ET AL) February 4, 2003
- D2: EP 0 937 612 A (KABUSHIKI KAISHA TOYOTA CHUO KENKYUSHO)
August 25, 1999
- D3: DE 101 40 119 C (ROBERT BOSCH GMBH) March 20, 2003
- D4: US 4 549 181 (NISSAN MOTOR CO.) October 22, 1985
- D5: WO 01/34438 A (FORD WERKE AG; GROUPE FORD FRANCE S A
(FR); FORD MOTOR CO (GB); STAIN) May 17, 2001
- D6: GB-A-2 376 118 (AUTOLIV DEV) December 4, 2002
- D7: DE 102 52 227 A (BOSCH GMBH ROBERT) May 27, 2004
- D8: U.S. 2002/188393 A1 (FUJII HIROAKI ET AL), December 12,
2002.

Re Point V.2.

V.2.1. Independent Claim 1

Novelty:

Document D1 shows in Figures 1 and 2:

A device for activating an actuator system (23) for protecting a pedestrian (M),

- the device being connected to an environment sensor system (21) and a contact sensor system (22)
- the device being configured in such a way that the device compares a first signal from the contact sensor system to a threshold (Figure 3, ST106),
- the threshold or the first signal being changed as a function of a second signal of the environment sensor system (Figure 2, and column 6, lines 7-11; Vb is dependent on the vehicle speed), and
- the actuator system being activated as a function of the comparison (Figure 3, ST108).

Document D2 likewise seems to disclose the subject matter of Claim 1.

Therefore, the present application does not meet the criterion indicated in Article 33(2) PCT, because the subject matter of the claim is not novel with respect to the above-mentioned document.

V.2.2. Claims 2-4 and 6-7 dependent on Claim 1

The dependent Claims 2-4 and 6-7, which have as their subject matter further refinements of the invention according to Claim 1, likewise do not comply with the requirements of the PCT, since the features of these claims - at least viewed alone - seem to be known from the documents named with them; therefore, they include no essential features which could in any way substantiate novelty or an inventive activity:

- Claim 2: D3, see the abstract for example,
- Claim 3: see as example D4, column 1, lines 19-35, since the use of a radar module in this connection is an obvious technical measure for one skilled in the art,
- Claim 4: likewise an obvious technical measure for one skilled in the art, since the time until the triggering is very short in critical situations, the comparison must be carried out as quickly as possible and thus be temporally triggered by one of the sensors,
- Claims 6-7: D1, column 2, lines 16-23.

Therefore, the dependent Claims 2-4 and 6-7 do not meet the criterion indicated in Article 33 (2)/(3) PCT, because the subject matter of the claim is not novel/inventive with respect to the above-mentioned document.